IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION.

CHAMBER SUMMONS No.822 of 1988
IN
SUIT No. 464 of 1973.

Nusli N. wadia & 3 Ors. **..Plaintiffs.**

V/s.

Phirozeshah Ardeshir Irani
and Ors. **..Defendants.**

AND

Smt. Kanchanben Mafatlal Shah
and 95 Ors. .. .. ..Respondents.
[Obstructionists]

Mr. M. C. Thacker with Mr. S.B. Amin
for plaintiff.

CORAM:S.C.DHARMADHIKARI,J.

DATED: 11th JULY, 2006.

P.C.:-

1] The plaintiffs who have taken out this Chamber Summons for removal of an obstruction caused by Obstructionist Nos. 1 to 5 have after this Chamber Summons was instituted, transferred their right,title and

interest in the subject immoveable property.

2] In these circumstances and when this Chamber Summons is pending from 1st September,1988, adequate opportunity was granted to parties to proceed. I see no reason to adjourn it. The Chamber Summons is dismissed in the light of the fact that the decree holders have transferred their right,title and interest in the immoveable property concerned. It will be for the purchasers to take out such proceedings as are permissible in law and they would be determined on their own merits without being influenced by the order passed on this Chamber Summons.

[S.C. DHARMADHIKARI,J]